

had interpreted the Andhra Pradesh Scheduled Areas Land Transfer Regulations, 1959, and held that any transfer of land in the areas notified as per the Fifth Schedule to the Constitution (Scheduled Areas) in favour of non-tribals on mining lease was void in Andhra Pradesh. The Samatha judgement also gave certain direction to be followed by other States that had areas notified under the Fifth Schedule.

(b) Yes, Sir.

(c) and (d) In the State of Chhattisgarh (or the erstwhile State of Madhya Pradesh), necessary Regulations have not been made by the State Government under para 5(2) the Fifth Schedule of the Constitution, as was done in Andhra Pradesh. The Madhya Pradesh Land Revenue Code, 1959 also does not ban the transfer of land by way of a lease. Besides, land allotted to BALCO continues to remain with BALCO. As such, disinvestment in BALCO is not attracted by Samatha Judgement. As they have been challenged, all these issues are pending before the Hon'ble Supreme Court.

Disinvestment of NALCO

1524. SHRI ANANTA SETHI: Will the Minister of DISINVESTMENT be pleased to state:

(a) whether Government have a proposal to go in for the disinvestment of NALCO;

(b) whether the process has been started;

(c) if so, the reasons therefore;

(d) the amount expected to be earned from the disinvestment of NALCO; and

(e) the details thereof?

THE MINISTER OF STATE OF THE DEPARTMENT OF DISINVESTMENT (SHRI ARUN SHOURIE): (a) No, Sir. No decision about disinvestment in NALCO has been taken.

(b) to (e) Do not arise.